

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUSTRALASIA CHARTERERS LTD.,

Plaintiff,

v.

WORLDWIDE BULK SHIPPING PTE
LTD.,

Defendant,

and

WORLDWIDE LOGISTICS CO. LTD.,
CARGILL, INCORPORATED,

Garnishees.

CASE NO. C21-98 RSM

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. This case was filed on January 26, 2021. On April 20, 2021, Plaintiff moved for Default against the Garnishee Worldwide Logistics Co., Ltd. Dkt. #23. That Motion was denied by the Court on May 5, 2021. Dkt. #24. Since then, Plaintiff has taken no action or otherwise communicated with the Court.

Rule 41(b) allows district courts to dismiss an action for failure to prosecute or to comply with rules or a court order. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S.

626, 629-30, 82 S. Ct. 1386, 8 L. Ed. 2d 734 (1962) (a district court's "power to [dismiss an action for failure to prosecute] is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion" in the calendars of the district courts); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (explaining that "courts may dismiss under Rule 41(b) sua sponte" for a plaintiff's failure to prosecute or comply with the court's orders or the Federal Rules of Civil Procedure); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (failure to follow a district court's local rules is a proper ground for dismissal).

It appears that Plaintiff has failed to prosecute its case. In Response to this Order, Plaintiff must write a short statement explaining why this case should not be dismissed given the above. **This Response may not exceed six (6) pages.**

The Court hereby finds and ORDERS that Plaintiff shall file this Response to this Order to Show Cause **no later than thirty (30) days from the date of this Order**. Failure to file this Response will result in dismissal of this case.

DATED this 6th day of November, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE